

# Buffalo National River

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(870) 365-2700



## APPENDIX SPECIAL PARK CONDITIONS:

### Guided Fishing Trips and Guided Sightseeing Tours (Water Based via Jon Boat or Drift Boat)

The Permittee and employees registered under this Permit will exercise this privilege subject to all of the following Specific Conditions:

1. **Definition of Services Authorized Under This Permit:** The Guided Fishing Trips and Guided Sightseeing Tours Commercial Use Authorization (CUA) consists of providing guided fishing trips and/or guided sightseeing tours by escorting visitors/clients to destinations on Buffalo National River between Carver and the White River by boat/vessel designed for such use, while maintaining a required continuous presence at all times with the visitors/clients as specified below:
  - a. The Permittee, or registered guides (s), of the business will maintain the required continuous presence with the visitors/clients from put in to take out.
  - b. Fishing will be conducted in accordance with current state/federal laws and/or restrictions.
  - c. The terms and conditions of this Permit apply to guided fishing trips and/or guided sightseeing tours regardless of compensation or lack thereof.
  - d. The area of operation is from Carver to White River. Permittee's boats are not permitted upriver (west) of Carver.
  - e. The area(s) authorized for use under this authorization must be left in substantially the same condition as it was prior to the activities authorized herein.
  - f. Shuttle services for clients' vehicles are **not** authorized under this Permit. All shuttle services must be provided by a Buffalo National River Canoe Concessioner. A list of current concessioners is available at <http://www.nps.gov/buff/canoe-rentals.htm>
  - g. Permittee will file a trip plan with the Midwest Region Ozark Communication Center (MROCC) prior to launching. Trip plan must include name of Permittee, name of guide, number of people on trip, and date and location of put in and take out. Trip plan can be filed with MROCC via telephone (888-692-1162), via fax (870-741-5667), or via email (BUFF\_Dispatch@nps.gov). Failure to file a trip plan with MROCC may result in suspension or revocation of the CUA.
  - h. All trips within park boundaries must be conducted utilizing "[Leave No Trace](http://Int.org/learn/7-principles)" principles. Permittees are responsible for ensuring that all guides working for them under this permit are knowledgeable of the Leave No Trace principles which can be found online at <http://Int.org/learn/7-principles>.

- i. When operating within the park boundaries, the Permittee and registered guide(s), when approached by any NPS Park Ranger must announce that they are an authorized fishing/sightseeing guide.
- j. Permittee must inform the National Park Service within 48 hours when a guide (those working under this permit) is added or is no longer an authorized guide of the business.
- k. Proof of the approved CUA must be with the Permittee and their guides when operating in the park unit. A copy of the CUA signature page (NPS form 10-114) is acceptable and must be presented to any park employee on demand.
- l. This authorization does not authorize the Permittee to advertise, solicit business, collect any fees, or sell any goods or services on lands owned and controlled by the United States. The authorization is for the incidental use of park area resources by operations that provide commercial services originating and terminating outside of the park unit (or within an inholding).
- m. The Permittee shall inform clients of the general park regulations and safety concerns before beginning trip.

## **2. Boat Vessel Specifications:**

- a. The maximum number of boats authorized under this permit are ten (10).
- b. Each boat authorized under this permit must be stickered with the appropriate NPS decal. Commissary boats, however, are exempt from the decal requirement.
- c. Each Permittee may purchase a maximum of ten (10) decals. Of this number, up to five (5) decals may be portable (aka transferrable) decals which can be temporarily assigned to guides operating with their privately owned boats. The Permittee must ensure that their liability policy will cover the independent guide and their boat. Accountability for the portable decals is absolutely critical. Permittees must be able to account for portable decals at all times. Independent guides operating under the CUA must have the portable decal and a copy of the CUA signature page in their possession whenever they are conducting trips under the CUA. If approached by a park ranger, they must identify themselves as a guide operating under a CUA and present the decal and CUA signature page.
- d. The types of boats authorized are john boats and drift boats. Canoes, kayaks, and rafts are NOT authorized for use under this permit.
- e. Boat motors are limited to 10-horsepower.
- f. The Permittee shall not exceed any carrying capacity per vessel type in accordance with U.S. Coast Guard standards.
- g. All vessels used under this Permit must carry a U.S. Coast Guard approved personal flotation device (PFD) for each operator and passenger. Boat cushions (Type IV throwable devices) are not to be used as personal flotation devices.
- h. Current state registration and NPS issued CUA decals will be properly affixed and displayed at all times.
- i. Boats will be in sound mechanical condition, and in safe and serviceable order.

## **3. Vehicle and Tow Trailers:**

- a. When towing registered boats into the park, the motorized tow vehicle(s) will be mechanically sound and of sufficient size, horsepower, and brake power, commensurate to the size of the boat being towed to adequately and safely complete the tow from the Permittee's place of business, to the launch site within the park, and return.

- b. Vehicles used to provide this service will be street legal and have current insurance, registration, and license in accordance with state law. The license plate will be properly affixed and displayed as required by state law.
  - c. Trailers used to transport boats/vessels within the park will have current insurance, registration, and license in accordance with state law. The trailer will be in sound mechanical condition, appropriately sized and configured for the type of boat/vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times. A current state license will be properly affixed and displayed at all times.
4. **Overnight Fishing Trips:** Sightseeing Tours are not approved for overnight stays unless they obtain a guided camping / overnight backpacking CUA. Guided Fishing Trips will be permitted to conduct overnight camping trips under the following terms:
- a. Permittee must notify the Midwest Region Ozark Communication Center (MROCC) toll free at 888-692-1162 with overnight trip itineraries. Ie: dates, put-in and take-out areas, camp locations, number of people, etc.
  - b. Overnight stays are limited to fourteen nights in any one location.
  - c. Permanent base camps are not authorized.
  - d. Burning of garbage, food scraps or other refuse is prohibited.
  - e. Use of generators in the Lower Wilderness is prohibited.
5. **Food Service:** Inasmuch as practicable, food service provided shall be in accordance with current U.S. Public Health Service Food Code and the National Park Service's Reference Manual 83F for Backcountry Food Service. Permittees are responsible for ensuring all guides working for them under this permit are knowledgeable of NPS Reference Manual 83F for Backcountry Food Service which can be found online at [http://www.nps.gov/public\\_health/info/rms/rm83F.pdf](http://www.nps.gov/public_health/info/rms/rm83F.pdf).
- a) Information on human illnesses associated with food or water sources within park boundaries will be immediately reported to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162, at the earliest possible opportunity.
6. **Waste Management:** The Permittee will manage human waste to assure proper disposal at park toilet facilities or will provide its own portable toilets. In areas without toilets, solid (fecal) human waste will be buried at least 6 inches below ground in a vegetated area and urination must occur in vegetated areas away from the river and gravel bar. All bathing and washing, including dishwashing, will be done with biodegradable soaps. No bathing or washing with any soap is to occur in the river. Soapy/dirty water will be disposed of in a vegetated area away from the river and gravel bar. All other activity generated debris will be collected and disposed of outside of the park.
7. **Damage to Natural/Cultural Resources:** The Permittee and all guides registered under this Permit will ensure that no visitor/client disturbs, climbs on, damages, or removes any natural/cultural resources, archeological or historic artifacts. Entering any closed area is prohibited by law.
- a. If artifacts are discovered, the Permittee will ensure they are left in place undisturbed, and will immediately report the discovery to the Buffalo National River Cultural Resources office at (870) 365-2792 or to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162.

**8. Licenses:**

- a. All guide(s) conducting Guided Fishing Trips under this Permit are required to possess a current resident or non-resident fishing guide license (as applicable) issued by the Arkansas Game and Fish Commission as required by Arkansas state regulations.
- b. The Permittee must ensure that current copies of the Guide License(s) are always on file with the Commercial Services Office at Buffalo National River.
- c. All visitors/clients receiving guided fishing services under this Permit must have a valid fishing license in their immediate possession.

**9. Operating Plan:** The Permittee is required to submit an Operating Plan to the National Park Service (NPS) summarizing the operations to be conducted, safety plan of action, previous experience, current certifications, guide qualifications, and a typical itinerary for the activity type. The plan is reviewed and approved/ disapproved by the NPS. The operating plan will be kept on file and will become part of the record regarding the performance of this Permit. However, it is a separate document and will not become part of the Permit. The operating plan will specifically include a safety plan of action the Permittee will implement in the event of accident or injury.

**10. Reports:** Monthly Activity Reports and an Annual Gross Receipts Report are required. Non –submission or late submission of any report may be grounds for suspension and/or revocation of the CUA.

**11. Emergency Response:** All emergency situations such as accidents, fires, and search and rescues will be reported to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162, at the earliest possible opportunity.

**12. Exotic Species Prevention:** The Permittee is responsible for knowing what waters any boat providing services under this Permit has been exposed to in the 30 day period prior to entering the park. The Permittee will make every effort to ensure their boats being brought into the park under the services of this permit known to have been exposed to waters containing exotic species such as Zebra Mussels, Eurasian Watermilfoil (aquatic plant), etc., are free from infestation as outlined below:

- a. The Permittee is responsible for ensuring a visual inspection and thorough cleaning of any boat that has been in any waters in the 30 day period is conducted **prior** to entering Buffalo River. All clinging vegetation will be removed. The cleaning will include as a minimum, washing with water heated to 170° or hotter all wet wells; hull, props, shafts, trim tabs, outdrives, outboard engines, and trailers as well as flushing motor/engine cooling systems.
- b. Upon request, the Permittee is responsible for clearly identifying to the NPS those boats being brought into the park area under the services of this permit that have been in waters known to contain exotic species, and state for the record that a thorough cleaning has been conducted.
- c. The Permittee and guides registered under this permit will not launch any boat known to have been exposed to waters containing exotic species without first cleaning the boat/vessel as outlined above.
- d. Questions concerning cleaning methods, or requests for assistance in determining possible infestation should be directed to the Buffalo National River Resource Management Division by phone (870) 365-2764.

13. **Liability Insurance:** The following liability insurance is required for this service:

- a. Commercial Comprehensive General Liability: The minimum amount of Commercial Comprehensive General Liability insurance required for this service is **\$500,000 per occurrence**.
- b. Automobile Liability: This insurance is required for all owned, non-owned and hired vehicles. The following **minimums per occurrence** apply as they relate to passenger capacities:
  - Cars, trucks and vans up to 5 passengers: \$ 300,000
  - Cars, trucks and vans 6-12 passengers: \$ 500,000
  - Vans and buses 13-20 passengers: \$ 750,000
  - Buses 21-50 passengers: \$1,500,000

14. **Prohibited Activity:** The Permittee and guides registered under this permit are specifically prohibited from providing, conducting, engaging in, or effecting by any method of delivery, including by land, by water or by air, the following:

- a. Engaging in an activity for which you are NOT specifically permitted is prohibited.
- b. Traversing by vehicle anywhere other than on designated roads.
- c. Causing any damage and/or harm to any natural, cultural and/or historic resource or facility, including removing posted signs.
- d. Disturbing or collecting any artifacts by any means and/or any methods.
- e. Outside of authorized activities directly related to fishing: harassing, capturing, collecting, chasing and/or killing any wildlife.
- f. Feeding wildlife.
- g. Cutting and/or creating new trails in any form or by any means.
- h. Live vegetation shall not be cut neither shall any soil be excavated.
- i. Marking trails and/or fishing spots by flagging, rock cairns, vegetation or dead wood, or by use of marking paint of any kind or by any means.
- j. Entering by vehicle, boat/vessel or on foot, any closed areas.
- k. Providing guided fishing or sightseeing service to any commercial film, research entity, or any agency without first ensuring the entity or agency possesses a valid Special Use Permit issued by the Buffalo National River.
- l. Providing alcohol products of any kind to any visitor/client.